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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|------------------------|------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/789,766 | SANKARANARAYNAN ET AL. |
| | Examiner | Art Unit |
| | Curtis A. Alia | 2616 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 08 May 2008.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9, 11-18 and 20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-9, 11-18 and 20 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. _____.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application

6) Other: _____.

DETAILED ACTION

Response to Amendment

Applicant's amendment filed on 8 May 2008 has been entered. Claims 1 and 12 have been amended. Claims 1-9, 11-18 and 20 are still pending in this application, with claims 1 and 12 being independent.

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-7, 12-13, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al. (previously cited US 2002/0151302) in view of Stamp et al. (previously cited "IP Centrex Creates New Opportunities for Equipment Manufacturers," 2001) and Lange et al. (newly cited US 4,802,199).

Regarding claim 1, Schmidt discloses a method operable within a system of the type in which an enterprise network that provides connectivity between a plurality of enterprise telephone stations (see figure 1, primary service gateway 102-1 and CPEs 1-n) wherein a landline connection extends between the enterprise network and a packet-switched network (see figure 1, broadband connection 106), the method comprising detecting failure on the landline connection (see paragraph 15, lines 1-4), in response to detecting the failure of the landline connection, invoking a wireless wide area network connection between the enterprise network and the packet-switched network to allow continued passage of the packet-based signaling between the enterprise network and the call server (see paragraph 5, lines 1-6).

Schmidt does not explicitly teach that a call server sits on the packet switched network and engages in packet-based signaling with the enterprise network to set up calls inside the enterprise network between the enterprise telephone stations.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Stamp. In particular, Stamp teaches the provision of using an IP-based Centrex server as a centralized call server on a packet-based network accessible by the customer premises (see paragraph 1, lines 15-17 and figure, connection between Network Gateway E and Router via broadband connection to managed IP or ATM network).

In view of the above, having the method of Schmidt, then given the well-established teaching of Stamp, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt as taught by Stamp, since Stamp stated that IP Centrex allows multiple locations to be combined into a single group, regardless of

geographical location, allowing multiple geographically-separated sites to be more easily connected for intra-office communication.

Schmidt and Stamp do not explicitly teach at the call server, allowing setup of calls having bearer paths within the enterprise network between the enterprise telephone stations, while preventing setup of all but certain designated calls having bearer paths extending from the enterprise network and through the WWAN connection.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Lange. In particular, Lange teaches at the call server, allowing setup of calls having bearer paths within the enterprise network between the enterprise telephone stations, while preventing setup of all but certain designated calls having bearer paths extending from the enterprise network and through the WWAN connection (see figure 1 and column 8, lines 26-42, CO will determine whether the calling station can make outside calls or any other restrictions that are set on that calling station, since the CO can determine whether external calls can be made, it can deny external calls, and only allow local numbers to be dialed).

In view of the above, having the method of Schmidt and Stamp, then given the well-established teaching of Lange, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt and Stamp as taught by Lange, since Lange stated that uniform dialing can be provided to users of a multi-location system.

Regarding claim 2, Schmidt discloses that the WWAN connection comprises a cellular radiocommunication system (see paragraph 18, lines 1-8).

Regarding claim 3, Schmidt discloses that invoking the WWAN connection comprises using a WWAN modem to acquire connectivity with the packet-switched network (see figure 1, wireless communication device 114-1 comprises a modem capable of acquiring connectivity with the wireless network).

Regarding claim 4, Schmidt discloses that the enterprise network includes a router that routes the packet-based signaling to the packet-switched network, and wherein detecting the failure comprises the router detecting the failure (see figure 1, primary service gateway 102-1 and monitor 103).

Regarding claim 5, Schmidt discloses that the enterprise network includes a router that has a first mode in which the router routes traffic over the landline connection (see paragraph 4, lines 4-7) and a second mode in which the router routes traffic over the WWAN connection (see paragraph 5, lines 1-6), wherein invoking the WWAN connection comprises the router switching from the first mode to the second mode (see figure 3, 304-308).

Regarding claim 6, Schmidt discloses that the router is coupled with a WWAN modem, and wherein invoking the WWAN connection comprises the router sending data to the WWAN modem (see figure 1, gateway 102-1 directly connected to wireless modem 114-1 for connecting CPEs 1-n for wireless connectivity).

Regarding claim 7, Schmidt does not explicitly teach that the call server comprises an IP Centrex server.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Stamp. In particular, Stamp teaches the provision of using an IP-based Centrex server as a centralized call server on a packet-based network accessible by the customer premises (see paragraph 1, lines 15-17 and figure, connection between Network Gateway E and Router via broadband connection to managed IP or ATM network).

In view of the above, having the method of Schmidt, then given the well-established teaching of Stamp, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt as taught by Stamp, since Stamp stated that IP Centrex allows multiple locations to be combined into a single group, regardless of geographical location, allowing multiple geographically-separated sites to be more easily connected for intra-office communication.

Regarding claim 12, Schmidt discloses a system comprising an enterprise network that provides connectivity between a plurality of enterprise telephone stations, wherein the enterprise network is coupled by a landline connection with a packet-switched network (see figure 1, broadband connection 106), a wireless wide area network modem for providing a WWAN backup link between the enterprise network and the packet-switched network (see figure 1, wireless communication device 114-1 comprises a modem capable of acquiring connectivity with the wireless network), and routing logic, operable upon failure of the landline connection to route the packet-based signaling via the WWAN backup link between the enterprise network and

the packet-switched network, so as to allow continued setup of calls having bearer paths within the enterprise network between the enterprise telephone stations (see paragraph 5, lines 1-6).

Schmidt does not explicitly teach that the call server on the packet-switched network engages in packet-based signaling with the enterprise network to set up calls inside the enterprise network between the enterprise telephone stations.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Stamp. In particular, Stamp teaches that the call server on the packet-switched network engages in packet-based signaling with the enterprise network to set up calls inside the enterprise network between the enterprise telephone stations (see paragraph 1, lines 15-17 and figure, connection between Network Gateway E and Router via broadband connection to managed IP or ATM network).

In view of the above, having the method of Schmidt, then given the well-established teaching of Stamp, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt as taught by Stamp, since Stamp stated that IP Centrex allows multiple locations to be combined into a single group, regardless of geographical location, allowing multiple geographically-separated sites to be more easily connected for intra-office communication.

Schmidt and Stamp do not explicitly teach that the improvement also comprises call-server logic at the call server allowing setup of calls having bearer paths within the enterprise network between the enterprise telephone stations, while preventing setup of all but certain designated calls having bearer paths extending from the enterprise network and through the WWAN connection.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Lange. In particular, Lange teaches at the call server, allowing setup of calls having bearer paths within the enterprise network between the enterprise telephone stations, while preventing setup of all but certain designated calls having bearer paths extending from the enterprise network and through the WWAN connection (see figure 1 and column 8, lines 26-42, CO will determine whether the calling station can make outside calls or any other restrictions that are set on that calling station, since the CO can determine whether external calls can be made, it can deny external calls, and only allow local numbers to be dialed).

In view of the above, having the method of Schmidt and Stamp, then given the well-established teaching of Lange, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt and Stamp as taught by Lange, since Lange stated that uniform dialing can be provided to users of a multi-location system.

Regarding claim 13, Schmidt discloses that the enterprise network comprises a router having the routing logic (see figure 1, 102-1), and the routing logic defines a primary static route via the landline connection (see figure 1, broadband connection 106).

Regarding claim 15, Schmidt discloses that the WWAN modem establishes the WWAN backup link via a cellular radiocommunication system (see paragraph 18, lines 1-8).

Regarding claim 17, Schmidt does not explicitly teach that the call server comprises an IP Centrex server.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Stamp. In particular, Stamp teaches the provision of using an IP-based Centrex server as a centralized call server on a packet-based network accessible by the customer premises (see paragraph 1, lines 15-17 and figure, connection between Network Gateway E and Router via broadband connection to managed IP or ATM network).

In view of the above, having the method of Schmidt, then given the well-established teaching of Stamp, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt as taught by Stamp, since Stamp stated that IP Centrex allows multiple locations to be combined into a single group, regardless of geographical location, allowing multiple geographically-separated sites to be more easily connected for intra-office communication.

4. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Stamp and Lange as applied to claims 1 and 12 above, and further in view of Faccin et al. (previously cited US 2002/0120759).

Regarding claim 8, Schmidt, Stamp and Lange do not explicitly teach that the packet-based signaling comprises Session Initiation Protocol (SIP) signaling.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Faccin. In particular, Faccin teaches that the packet-based signaling comprises Session

Initiation Protocol (SIP) signaling (see paragraphs 21-22, an SIP is a control protocol between an IP network and the end user terminals).

In view of the above, having the method of Schmidt, Stamp and Lange, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt, Stamp and Lange as taught by Faccin, since Faccin stated in paragraph 3 that configuring multiple services for each subscription can be avoided.

Regarding claim 18, Schmidt, Stamp and Begeja do not explicitly teach that the packet-based signaling comprises Session Initiation Protocol (SIP) signaling.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Faccin. In particular, Faccin teaches that the packet-based signaling comprises Session Initiation Protocol (SIP) signaling (see paragraphs 21-22, an SIP is a control protocol between an IP network and the end user terminals).

In view of the above, having the method of Schmidt, Stamp and Lange, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt, Stamp and Lange as taught by Faccin, since Faccin stated in paragraph 3 that configuring multiple services for each subscription can be avoided.

1. Claims 9, 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Stamp and Lange as applied to claims 1 and 12 above, and further in view of Begeja et al. (previously cited US 5,912,963).

Regarding claim 9, Schmidt, Stamp and Lange do not explicitly teach using the WWAN connection to carry emergency calls between the enterprise network and the packet-switch network.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Begeja. In particular, Begeja teaches using the WWAN connection to carry emergency calls between the enterprise network and the packet-switch network (see column 3, lines 16-27 and column 6, lines 35-49, media selection device is used to program the behavior of specific calls, such as local calls, long distance calls, 911 calls, etc. in a telephone backup system).

In view of the above, having the method of Schmidt, Stamp and Lange, then given the well-established teaching of Begeja, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt, Stamp and Lange as taught by Begeja, since Begeja stated that upon power failure, an alternate source of power and communications can be provided.

Regarding claim 11, Schmidt, Stamp and Lange do not explicitly teach allowing emergency service calls via the WWAN connection but precluding other outside calls via the WWAN connection.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Begeja. In particular, Begeja teaches allowing emergency service calls via the WWAN connection but precluding other outside calls via the WWAN connection (see column 3, lines 16-27 and column 6, lines 35-49, media selection device is used to program the behavior of specific calls, such as local calls, long distance calls, 911 calls, etc. in a telephone backup system).

In view of the above, having the method of Schmidt, Stamp and Lange, then given the well-established teaching of Begeja, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt, Stamp and Lange as taught by Begeja, since Begeja stated that upon power failure, an alternate source of power and communications can be provided.

Regarding claim 20, Schmidt, Stamp and Lange do not explicitly teach that the call server logic allows emergency service calls via the WWAN connection but precludes other outside calls via the WWAN connection.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Begeja. In particular, Begeja teaches that the call-server-logic allows emergency service calls via the WWAN connection but precludes other outside calls via the WWAN connection (see column 3, lines 16-27 and column 6, lines 35-49, media selection device is used to program the behavior of specific calls, such as local calls, long distance calls, 911 calls, etc. in a telephone backup system).

In view of the above, having the method of Schmidt, Stamp and Lange, then given the well-established teaching of Begeja, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the method of Schmidt, Stamp and Lange as taught by Begeja, since Begeja stated that upon power failure, an alternate source of power and communications can be provided.

2. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Stamp and Lange as applied to claim 13 above, and further in view of Nascimento, Jr. (previously cited US 2002/0193107).

Regarding claim 14, Schmidt teaches that the system uses the landline as the primary route and the WWAN connection as the secondary route (see figure 1, wired *primary* service gateway and wireless *secondary* lifeline backup device).

Schmidt, Stamp and Lange do not explicitly teach that the routing logic defines the primary static route as a lower cost route than the secondary static route.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Nascimento. In particular, Nascimento teaches that the routing logic defines the primary static route as a lower cost route than the secondary static route (see paragraph 6, the device can determine which connection yields a cheaper effective rate for a call, where the cheaper-cost line is used before the higher-cost line).

In view of the above, having the system of Schmidt, Stamp and Lange, then given the well-established teaching of Nascimento, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Schmidt, Stamp and Lange as taught by Nascimento, since Nascimento stated that the subscriber can yield a lower phone bill.

3. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Stamp and Lange as applied to claim 12 above, and further in view of Dorenbosch et al. (previously cited US 6,757,269).

Regarding claim 16, Schmidt, Stamp and Lange do not explicitly teach that the WWAN modem is integrated within the router.

However, the above-mentioned claimed limitation is well known in the art, as evidenced by Dorenbosch. In particular, Dorenbosch teaches that the WWAN modem is integrated within the router (see column 1, line 57 to column 2, line 17 and figure 1, a mobile wireless router comprising a wireless transceiver for connecting to a cellular telephone system, a conventional network interface capable of connecting to such network devices as wired Fast Ethernet, 802.11 wireless LAN, Bluetooth, etc.).

In view of the above, having the system of Schmidt, Stamp and Lange, then given the well-established teaching of Dorenbosch, it would have been obvious to a person having ordinary skill in the art at the time of the invention to modify the system of Schmidt, Stamp and Lange as taught by Dorenbosch, since Dorenbosch stated that traffic flow can be optimized between a wireless network and a packet data network in a transparent manner.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis A. Alia whose telephone number is (571) 270-3116. The examiner can normally be reached on Monday through Friday, 9am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aung S. Moe/
Supervisory Patent Examiner, Art Unit 2616

/Curtis A Alia/
Examiner, Art Unit 2616
8/13/2008

CAA